

the district court a libel praying seizure and condemnation of 10 dozen packages of Marisco Menthol Inhaler at Scranton, Pa., alleging that the article had been shipped in interstate commerce, on or about July 2, 1934, by the John M. Maris Co., Inc., from New York, N. Y., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the product consisted of menthol in a device adapted for use as an inhaler.

The article was alleged to be misbranded in that the following statements regarding the curative or therapeutic effects of the article, appearing on the display carton, were false and fraudulent: "Relieves \* \* \* Catarrh \* \* \* Hay Fever \* \* \* Asthma."

On September 12, 1934, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

**23284. Misbranding of Bulgarian Marvel Herb Tea Compound. U. S. v. 72 Packages of Bulgarian Marvel Herb Tea Compound. Default decree of condemnation and destruction. (F. & D. no. 33240. Sample no. 64748-A.)**

This case involved a product labeled to convey the impression that it consisted entirely of herbs and that it was a Bulgarian product. Analysis showed that one of the active ingredients was Epsom salt and that it was not of Bulgarian origin. The labels also contained unwarranted curative and therapeutic claims.

On August 13, 1934, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 72 packages of Bulgarian Marvel Herb Tea Compound at Chicago, Ill., alleging that the article had been shipped in interstate commerce, on or about June 6, 1934, by the Marvel Products Co., from Pittsburgh, Pa., and charging misbranding in violation of the Food and Drugs act as amended.

Analysis showed that the article consisted essentially of Epsom salt (10.3 percent), senna leaves, uva ursi leaves, sassafras bark, licorice root, dog grass, elder flowers, lavender flowers, fennel seed, and anise seed.

The article was alleged to be misbranded in that the following statements in the labeling were false and misleading: (Carton) "Bulgarian Style Marvel Herb Tea Compound, \* \* \* Bulgarian Style Herb Tea \* \* \* Prepared from \* \* \* Herbs"; (circular) "Bulgarian Style Marvel Herb Tea Compound \* \* \* Bulgarian Herb Tea, \* \* \* This Formula is based Entirely upon Natural Herbs, Flowers, Leaves, Berries, Seeds, Roots and Barks." Misbranding was alleged for the further reason that the following statements in the labeling, were statements regarding the curative or therapeutic effects of the article, and were false and fraudulent: (Display carton) "Regulates the Stomach, Liver and Kidneys \* \* \* Improves the Blood."

On September 26, 1934, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

**23285. Misbranding of Grove's Emulsified Nose Drops. U. S. v. 70 Dozen Packages of Grove's Emulsified Nose Drops. Default decree of condemnation and destruction. (F. & D. no. 33243. Sample nos. 72310-A, 20-B.)**

This case involved a drug preparation the labeling of which contained unwarranted curative, therapeutic, antiseptic, and germicidal claims.

On August 20, 1934, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 70 dozen packages of Grove's Emulsified Nose Drops at Grand Junction, Colo., consigned by E. W. Grove and the Paris Medicine Co., St. Louis, Mo., alleging that the article had been shipped in interstate commerce, in part on or about January 5, 1934, and in part on or about January 8, 1934, from St. Louis, Mo., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of ephedrine hydrochloride, menthol, a chlorine compound, mineral oil, and water. Bacteriological examination showed that it was not germicidal nor antiseptic.

The article was alleged to be misbranded in that the following statements in the circular were false and misleading: "Grove's Emulsified Nose Drops are genuinely germicidal. They contain a germicide fully 120 times as strong as

carbolic acid, yet as harmless to tissues as water. \* \* \* It is highly antiseptic. It inhibits the growth of bacteria in the nasal passages \* \* \* the best results are obtained by using a large enough quantity of the liquid to produce an antiseptic dressing over the nasal membrane that will last for hours. \* \* \* Daily treatment of the nasal passages with Grove's Emulsified Nose Drops will do much to combat the work of malignant germs \* \* \* Note:—A slight stinging sensation in back of throat after application of Grove's Emulsified Nose Drops lasts about 2 minutes—this is the effect of coating the membranes with antiseptic dressing."

Misbranding was alleged for the further reason that the following statements in the labeling were statements regarding the curative or therapeutic effects of the article and were false and fraudulent: (Bottle) "Directions Hold head well back. Place 4 to 8 drops in nostrils. Keep head back until drops are felt in back of throat. \* \* \* coming in direct contact with the affected membranes—giving thorough nasal prophylaxis"; (carton) "Provides Quick \* \* \* Lasting Relief \* \* \* Effectively controls Nose and Throat Irritations \* \* \* Nasal Prophylaxis Revolutionized", (circular) "First of all, Grove's Emulsified Nose drops are genuinely germicidal. They contain a germicide fully 120 times as strong as carbolic acid, yet as harmless to tissues as water. Second, it is highly antiseptic. It inhibits the growth of bacteria in the nasal passages and this is very important for most nasal troubles are due to irritation caused by bacteria feeding upon and breeding in the mucous membranes. Third, is healing in effect. It stimulates the repair processes of Nature by which the \* \* \* injured membranes are reconstructed. Fourth, it is relaxing. It softens and relaxes the tissues \* \* \* establishing a normal blood supply to the part. \* \* \* Grove's Emulsified Nose Drops are absolutely harmless and may be safely used in any quantity, even by children. To obtain best results, hold the head well back, place 4 to 8 drops in each nostril and snuff up well, keeping the head back until slight sting of medication is felt in the back of the throat. Do not be afraid of using too much, as the best results are obtained by using a large enough quantity of the liquid to produce an antiseptic dressing over the nasal membrane that will last for hours. \* \* \* Stuffed Head, Difficult Breathing: Apply frequently same as for Nasal Colds until relief is obtained. Night Coughing: One-fourth to one-third dropped full before retiring, in order to thoroughly coat passages. Hay and Rose Fever: 4 to 8 drops every two or three hours, starting two weeks before attack and continuing through Hay Fever period. Bronchial Asthma: 4 to 8 drops three times daily. Catarrh: 4 to 8 drops morning and at night upon retiring. Sinus Distress: Same as for Catarrh. Babies and Young Children: Infants up to two years of age, 2 drops in each nostril three times daily. Children over two years of age doses proportionately larger. \* \* \* It is extremely important to keep the nasal passages in a clean and wholesome state. Over eighty well-known diseases find their way into the body through the mouth and nose. Daily treatment of the nasal passages with Grove's Emulsified Nose Drops will do much to combat the work of malignant germs. \* \* \* Those who suffer from any nasal irritation at all should begin the use of Grove's Emulsified Nose Drops immediately and keep it up faithfully. It will not only give the relief and comfort you seek, but it will do much toward putting your nasal passages in the state where permanent results may be expected."

On October 30, 1934, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

**23286. Misbranding of Scalp Remedy, Hay Fever Remedy, G. O. Remedy, Itch and Eczema Remedy, and Pyorrhea Remedy. U. S. v. 24 Bottles of Scalp Remedy, et al. Default decree of condemnation and destruction.** (F. & D. nos. 33261 to 33265, incl. Sample nos. 211-B to 215-B, incl.)

This case involved various drug preparations, the labels of which contained unwarranted curative and therapeutic claims.

On August 20, 1934, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 24 bottles of Scalp Remedy, 24 bottles of Hay Fever Remedy, 17 bottles of G. O. Remedy, 25 bottles of Itch and Eczema Remedy, and 24 bottles of Pyorrhea Remedy at Denver, Colo., consigned by the Continental Divide Remedies Co., alleging that the articles had been shipped in interstate commerce, on or about April 1, 1933,